

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

C.A. NO. 05-11323MLW

CRYSTAL A. ATHERTON and ROBERT W.  
ATHERTON,

Plaintiffs

v.

CITY OF BEVERLY, WILLIAM F.  
SCANLON, in his official and individual  
capacity, and JOHN DUNN, in his official and  
individual capacity,

Defendants

DEFENDANTS, CITY OF BEVERLY,  
WILLIAM F. SCANLON, AND JOHN  
DUNN'S, MOTION FOR JUDGMENT  
ON THE PLEADINGS

Now come the defendants, City of Beverly, William F. Scanlon and John Dunn, and hereby move, pursuant to Fed.R.Civ.P. 12(c), that this Honorable Court enter judgment on the pleadings, and dismiss all claims against them. As grounds therefor, the defendants state that the Complaint fails to state a claim upon which relief may be granted.

As further grounds therefor, the defendants rely on the accompanying Memorandum.

DEFENDANTS,  
CITY OF BEVERLY and WILLIAM F.  
SCANLON, JR.,

By their attorneys,

/s/ David C. Jenkins

David C. Jenkins (BBO# 251000)  
Elizabeth R. Corbo (BBO# 640131)  
Kopelman and Paige, P.C.  
101 Arch Street, 12<sup>th</sup> Floor  
Boston, MA 02110  
(617) 556-0007